

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

PRAVINDRAJIT SANDHU,

Plaintiff,

vs.

COLLABIS, LLC,

Defendant.

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Civil Action No. 4:11-cv-02670

**DEFENDANTS' MOTION FOR CONTINUANCE OF PRETRIAL AND TRIAL
DEADLINES TO ACCOMMODATE SETTLEMENT NEGOTIATIONS**

Defendant Collabis, LLC and Defendant Collabis Solutions Pvt. Ltd. (collectively, "Defendants") file their Motion for Continuance of Pretrial and Trial Deadlines to Accommodate Settlement Negotiations and state as follows:

1. The parties have been engaged in extensive settlement discussions and before the holiday break were able to agree to a monetary amount on the main figure to settle this case but were unable to agree on non-monetary terms and other items. The parties have continued in negotiations to attempt to settle this matter. However, extensive time and resources must be dedicated to the pretrial materials, due this Wednesday, December 28, and for trial preparation for the January 4, 2012 trial.

2. Defendants are in the process of attempting to schedule a settlement meeting of the parties to use their best efforts to bridge the gap on the remaining settlement terms as Defendants will otherwise incur more fees in continued trial preparation. Further, if the parties cannot reach an agreement, and given how close they were last week when they agreed to the initial monetary amount before it was withdrawn, it may be fruitful for the Court to order a ½ day mediation to assist the parties in closing the gap. Currently, the parties are attempting to

schedule a meeting today, December 27, 2011, at 1:00 p.m., to continue discussions with just the parties and their counsel. Counsel for Plaintiff indicated yesterday that he would be available today or tomorrow for such a meeting but currently has not obtained authorization from his client to attend such a meeting. Given the fact that the parties had reached an agreement on the primary monetary amount last week before their offer and counter-offers expired in light of differences on non-monetary terms and other matters, it seems fruitful to focus on settlement rather than expending resources on trial preparation.

3. Defendants request a short continuance of two weeks to the pretrial materials deadline and trial setting to allow them to continue settlement discussions. Should the Court require a status conference meeting, the parties could meet with the Court on January 4, 2012 in place of the current trial date.

4. This request is not sought for delay or improper purpose but so that the Defendants may focus on settlement of this matter. Defendants previously submitted the financials of the companies as ordered by the Court, which support that Defendants are not in a position to expend unnecessary resources in trial preparation if there is a chance that a short continuance may aid in settlement. While Plaintiff counsel agrees that pursuing settlement discussions is important, Plaintiff counsel opposes a continuance for this purpose.

REQUEST FOR RELIEF

THEREFORE, Defendants respectfully request that this Court:

1. Grant this Motion;
2. Continue the pretrial materials deadline to January 12, 2012.
3. Continue the trial to January 18, 2012 or a date thereafter.

Respectfully submitted,

/s/ Matthew T. Deffebach
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ATTORNEY-IN-CHARGE FOR
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OF COUNSEL:

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CERTIFICATE OF CONFERENCE

On December 26, 2011, the undersigned counsel for Defendants spoke to Mr. Jackson, counsel for Plaintiff, who is opposed to this Motion.

/s/ Matthew Deffebach
Matthew Deffebach

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing document was served via e-file service to Plaintiff's Counsel of Record, Daniel W. Jackson, 3900 Essex Lane, Suite 1116, Houston, TX 77027, pursuant to the Federal Rules of Civil Procedure, on the 27th day of December 2011.

/s/ Katie G. Chatterton
Katie G. Chatterton

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ORDER

Before this Court is Defendant Collabis, LLC and Defendant Collabis Solutions Pvt. Ltd.'s (collectively, "Defendants") Motion for Continuance of Pretrial and Trial Deadlines to Accommodate Settlement Negotiations. The Court having considered the Motion orders that it shall be granted and the pretrial materials and trial deadlines shall be continued as follows:

- (i) Pretrial Materials are due on January 12, 2012; and
- (ii) Trial will begin on January __, 2012.

Signed on ____ of December 2011.

UNITED STATES DISTRICT JUDGE